

**REMARKS**

This responds to the Office Action mailed on June 1, 2005.

Claim 35 is amended; as a result, claims 2-5, 8-10, 12-14, 18-20, 28, 29, 32, 35, 36, 39-71, and 73-78 remain pending in this application. The amendments to the claims are fully supported by the specification as originally filed. No new matter is introduced. Applicant respectfully requests reconsideration of the above-identified application in view of the amendments above and the remarks that follow.

**Claim Objections**

Claim 35 was objected to because of informalities. Claim 35 is amended to correct its dependency.

Applicant respectfully requests withdrawal of this objection to claim 35 and reconsideration and allowance of this claim.

**Double Patenting Rejection**

Claims 2-5, 8-10, 12-14, 18-20, 28, 29, 32, 35, 36, 39-71, and 73-78 were rejected under the judicially created doctrine of double patenting over claims 1-53 of U.S. Patent No. 6,031,263.

Claims 2-5, 9, 10, 12-14, 20, 28, 32, 35, 36, 40, 45, 47, 49, 51, 57, 59, 65, 69, 73, 75, and 77 were provisionally rejected under the judicially created doctrine of double patenting over claims 36-39, 59-61, 71-85, 98, and 99 of copending U.S. Application No. 09/691,004.

Claims 2-5, 9, 10, 12-14, 20, 28, 32, 35, 36, 40, 45, 47, 49, 51, 57, 59, 65, 69, 73, 75, and 77 were provisionally rejected under the judicially created doctrine of double patenting over claims 1-5, 8-15, 22, 24-29, 31-35, 37-48, 50-53, and 55-57 of copending U.S. Application No. 08/903,486.

Claims 2-5, 9, 10, 12-14, 20, 28, 32, 35, 36, 40, 45, 47, 49, 51, 57, 59, 65, 69, 73, 75, and 77 were provisionally rejected under the judicially created doctrine of double patenting over claims 10-31 of U.S. Patent No. 5,886,368.

Claims 2-5, 8-10, 12-14, 18-20, 28, 29, 32, 35, 36, 39-71, and 73-78 were rejected under the judicially created doctrine of double patenting over claims 1-37 of U.S. Patent No. 6,249,020.

Applicant does not admit that the claims are obvious in view of U.S. Patent Nos. 6,031,263, 5,886,368, and 6,249,020 or copending U.S. Application Nos. 09/691,004 and 08/903,486. However, to expedite prosecution of the instant application, a Terminal Disclaimer in compliance with 37 CFR 1.321(b)(iv) is enclosed herewith to obviate these rejections.

The submission of the Terminal Disclaimer should not be taken as an admission of the assertions contained in the Office Action. However, in view of the submitted Terminal Disclaimer, Applicant need not address these specific assertions.

Applicant respectfully requests withdrawal of these rejections of claims 2-5, 8-10, 12-14, 18-20, 28, 29, 32, 35, 36, 39-71, and 73-78, and reconsideration and allowance of these claims.

### CONCLUSION

Applicant respectfully submits that the claims are in condition for allowance and notification to that effect is earnestly requested. The Examiner is invited to telephone Applicant's attorney (612) 371-2157 to facilitate prosecution of this application.

If necessary, please charge any additional fees or credit overpayment to Deposit Account No. 19-0743.

Respectfully submitted,


LEONARD FORBES ET AL.

By their Representatives,

SCHWEGMAN, LUNDBERG, WOESSNER & KLUTH, P.A.  
P.O. Box 2938  
Minneapolis, MN 55402  
(612) 371-2157

Date 1 August 2005

By

  
David R. Cochran  
Reg. No. 46,632

CERTIFICATE UNDER 37 CFR 1.8: The undersigned hereby certifies that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop AF, Commissioner of Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on this 1 day of August, 2005.

Name

Signature